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LETTER DATED 3 NOVEMBER 1994 FROM THE PERMANENT REPRESENTATIVE OF PAKISTAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

The third round of Inter-Tajik peace talks under United Nations auspices was held in Islamabad from 20 October to 1 November 1994. The following documents, the Russian and English texts of which are attached, were signed at the conclusion of these talks:

(i) Protocol on the Joint Commission for the implementation of the Agreement on a provisional cease-fire and the cessation of other hostilities on the Tajik-Afghan border and within the country.

(ii) Joint Communiqué on the results of the third round of Inter-Tajik talks on national reconciliation.

It would be appreciated if the above two documents are circulated as documents of the Security Council.

(Signed) Jamsheed K. A. MARKER
Ambassador
Permanent Representative

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Annex

[Original: Russian]

Protocol on the Joint Commission for the implementation of the Agreement on a provisional cease-fire and the cessation of other hostilities on the Tajik-Afghan border and within the country

I. Purpose of the Joint Commission

1. The Joint Commission, established in accordance with paragraph 5 of the Agreement on a provisional cease-fire and the cessation of other hostilities on the Tajik-Afghan border and within the country for the duration of the talks (hereinafter referred to as the "Joint Commission"), shall, by the decision of the Government of the Republic of Tajikistan and the Tajik opposition, be the principal body responsible for monitoring the implementation of the Agreement.

II. Composition of the Joint Commission

2. The Joint Commission shall be established on the basis of equality and shall be composed of three representatives of the Government of the Republic of Tajikistan and three representatives of the Tajik opposition. One representative of each Party shall serve as co-chairman of the Joint Commission.

III. Powers of the Joint Commission

3. The Joint Commission shall have the right to interpret the provisions of the Agreement on a provisional cease-fire and the cessation of other hostilities on the Tajik-Afghan border and within the country, and also to investigate possible violations of the Agreement by the Parties thereto. In its investigations, the Joint Commission shall have the right to request the submission, at the earliest possible time, of objective, complete and reliable information from any State body or official of the Republic of Tajikistan and also leaders and field commanders of the opposition. In the performance of their duties, the members of the Joint Commission should have free and unimpeded access to all officials of the Republic of Tajikistan and the leaders of the Tajik opposition.

IV. Functions of the Joint Commission

4. The Joint Commission shall monitor the implementation by the Parties of the Agreement on a provisional cease-fire and the cessation of other hostilities on the Tajik-Afghan border and within the country; investigate cases of violations of the Agreement on the basis of objective information obtained during the investigation; and submit to the Government of the Republic of Tajikistan and the Tajik opposition, the United Nations and representatives of observers at the

inter-Tajik talks proposals on ways of preventing such violations and of addressing their consequences.

5. In the exercise of its functions, the Joint Commission shall cooperate with the United Nations Mission of Observers, the Conference on Security and Cooperation in Europe (CSCE) and the International Committee of the Red Cross (ICRC) in Tajikistan.

V. Guarantees of security

6. The Government of the Republic of Tajikistan and the Tajik opposition shall guarantee the safety and inviolability of the members of the Joint Commission in the performance of their duties. The members of the Joint Commission shall not be subject to detention or arrest and shall not be prosecuted for activities in which they engaged prior to their appointment to the Joint Commission or for acts relating to the performance of their duties as members of the Joint Commission. The Tajik Parties shall guarantee the inviolability of the official premises and living quarters in which the members of the Joint Commission and their families will work and live. The members of the Joint Commission shall have the right to safe and unimpeded travel within the territory of Tajikistan and, with the consent of the Islamic State of Afghanistan, in the territory of Afghanistan, in the areas where camps and bases of the Tajik opposition are situated. They will be accompanied by the United Nations observers. The members of the Joint Commission shall also have the right to maintain without hindrance all forms of communication with the Government of the Republic of Tajikistan and the leaders of the Tajik opposition.

VI. Role of the United Nations in assisting the work of the Joint Commission

7. At the request of the Tajik Parties, which is contained in the Agreement, the United Nations shall, through the United Nations Mission of Observers in Tajikistan, assist the work of the Joint Commission. In accordance with the principle of independence and impartiality, United Nations observers shall monitor implementation of the Agreement by the Tajik Parties and shall investigate possible violations of the Agreement on a provisional cease-fire and the cessation of other hostilities. They shall assist the Joint Commission in drafting proposals on the prevention of such violations and shall submit such proposals to the Parties on their own initiative.

VII. Location and duration of the mandate of the Joint Commission

8. The Joint Commission shall have its headquarters in Dushanbe. The Joint Commission shall be established for the duration of the validity of the Agreement on a provisional cease-fire and the cessation of other hostilities on the Tajik-Afghan border and within the country.

VIII. Logistical support for the Joint Commission activities

9. The Government of the Republic of Tajikistan pledges to provide logistical support for the Joint Commission, including providing office space, living quarters and board for the members of the Joint Commission on the territory of the Republic while the opposition provides the same on the territory of Afghanistan. The parties, with United Nations assistance, appeal to the collective peace-keeping forces of the Commonwealth of Independent States stationed on the territory of Tajikistan and to the international community for financial and logistical support for the Joint Commission. A trust fund to support the work of the Commission, established on the basis of voluntary contributions, will be administered by the United Nations mission in Tajikistan.

IX. Amendment and termination of applicability of provisions of the Protocol

10. The provisions contained in this Protocol and the procedure for their implementation by mutual agreement of the Tajik Parties, as well as the other parties mentioned in this Protocol that are affected by its individual provisions, may be amended or deleted so long as this Protocol remains in force.

Head of the delegation of
the Republic of Tajikistan:

(Signed) A. DOSTIEV

Head of the delegation of
the Tajik opposition:

(Signed) A. TURAJONZODAH

Special Envoy of the Secretary-General
of the United Nations:

(Signed) R. PIRIZ-BALLON

[Original: Russian]

Joint communiqué on the results of the third round of inter-Tajik talks on national reconciliation

1 November 1994

The third round of inter-Tajik talks on national reconciliation, held under United Nations auspices with the participation of observers from Afghanistan, the Islamic Republic of Iran, Kazakhstan, Pakistan, the Russian Federation, Uzbekistan, CSCE and the Organization of the Islamic Conference, took place in Islamabad from 20 October to 1 November 1994. The delegation of the Republic of Tajikistan was headed by Mr. Dostiev, First Deputy Chairman of the Supreme Council of the Republic of Tajikistan, and the delegation of the Tajik opposition by Mr. Turajonzodah, First Deputy Chairman of the Islamic Revival Movement of Tajikistan. In the course of the negotiations, good offices were provided by Ambassador Ramiro Piriz-Ballon, Special Envoy of the Secretary-General of the United Nations.

The negotiations were businesslike and open. Both parties demonstrated a will to solve complicated problems pertaining to the situation in Tajikistan in a constructive spirit. They reached agreement on an extension of the Agreement on a temporary cease-fire and the cessation of other hostilities on the Tajik-Afghan border and within the country until 6 February 1995, and signed the Protocol on the Joint Commission for the implementation of the Agreement.

The parties confirmed their commitment to the spirit of the Tehran Agreement. In this regard, they paid attention to the need to provide additional security guarantees to the civilian population of the Karategin Valley by sending United Nations military observers to that area and by initiating action by international human rights organizations.

In view of the noncompliance with paragraph 4 of the Agreement within the established time-frame, the parties reaffirmed their commitment to release, through the good offices of the International Committee of the Red Cross, equal numbers of detainees, prisoners and prisoners of war (27 persons on each side) before midnight on 5 November 1994, in accordance with the lists exchanged at the inter-Tajik consultations in Tehran on 12-17 September 1994. The Agreement will become null and void in the event of the failure by either party to fulfil these obligations before 6 November 1994 (the lists of the persons to be released are contained in annexes 1 and 2). The issue of releasing other supporters of the opposition and prisoners of war of the Republic of Tajikistan will be discussed during subsequent rounds of talks.

The parties reaffirmed their commitment to the settlement of the conflict through political means. In this regard, they agreed, in accordance with the principle of rotation, to hold the next round of talks in early December 1994 in Moscow, where they will continue their efforts to reach national reconciliation and to resolve all the issues listed in the agenda of the talks.

The parties expressed their deep appreciation to the Government of Pakistan for its hospitality, assistance and support in the organization and conduct of the third round of talks in Islamabad.

The parties also expressed their appreciation to the Secretary-General of the United Nations and to his Special Envoy, Mr. Piriz-Ballon, as well as to the representatives of the observer States, CSCE and the Organization of the Islamic Conference at the talks for their help and support in conducting the inter-Tajik talks on national reconciliation.

(Signed) A. DOSTIEV
Head of the delegation of
the Republic of Tajikistan

(Signed) A. TURAJONZODAH
Head of the delegation of
the Tajik opposition

(Signed) R. PIRIZ-BALLON
Special Envoy of the Secretary-
General of the United Nations